

## DECLARATION AND POWER OF ATTORNEY

I, named inventor, I declare that:

ence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject which is claimed and for which a patent is sought on the invention entitled: RETENTATE CHROMATOGRAPHY AND IN CHIP ARRAYS WITH APPLICATIONS IN BIOLOGY AND MEDICINE the specification of which \_\_\_\_\_ is attached hereto and was filed on June 19, 1998 as Application No. 09/100,708 and was amended on \_\_\_\_\_ (if any).

I reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment(s) made to the application. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u>      </u> No <u>      </u>
			Yes <u>      </u> No <u>      </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/054,333	June 20, 1997
60/067,484	December 1, 1997

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner required by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		<u>Patented</u> <u>Pending</u> <u>Abandoned</u>
		<u>Patented</u> <u>Pending</u> <u>Abandoned</u>

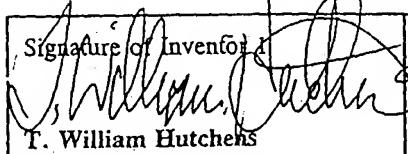
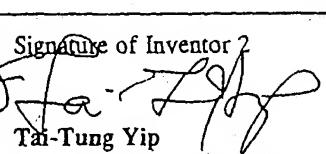
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John R. Storella, Reg. No. 32,944  
Kenneth A. Weber, Reg. No. 31,677  
Kevin L. Bastian, Reg. No. 34,774

Send Correspondence to: John R. Storella TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: John R. Storella Reg. No.: 32,944 Telephone: (415) 576-0200
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Full Name of Inventor 1	Last Name Hutchens	First Name T.	Middle Name or Initial William	
Residence & Citizenship	City Los Altos	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 28 Carriage Court	City Los Altos	State/Country CA	Zip Code 95618
Full Name of Inventor 2	Last Name Yip	First Name Tai-Tung	Middle Name or Initial	
Residence & Citizenship	City Cupertino	State/Foreign Country CA	Country of Citizenship Hong Kong	
Post Office Address	Post Office Address 7515 Kingsbury Court	City Cupertino	State/Country CA	Zip Code 95014
Full Name of Inventor 3	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  T. William Hutchens	Signature of Inventor 2  Tai-Tung Yip	Signature of Inventor 3
Date 9/24/98	Date 9/23/98	Date



00-30004  
016866-00162065  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Offic**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
*J. R. Storella*

FEBRUARY 04 FEB 1998 AM 7:54 PTAS

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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 10/05/1998

REEL/FRAME: 9505/0321  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HUTCHENS, T. WILLIAM

DOC DATE: 09/24/1998

ASSIGNOR:

YIP, TAI-TUNG

DOC DATE: 09/23/1998

ASSIGNEE:

CIPHERGEN BIOSYSTEMS, INC.  
470 SAN ANTONI ROAD, SUITE B  
PALO ALTO, CALIFORNIA 94306

SERIAL NUMBER: 09100708

FILING DATE: 06/19/1998  
ISSUE DATE:

PATENT NUMBER:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, T. William Hutchens of 28 Carriage Court, Los Altos, California 95618, and Tai-Tung Yip of 7515 Kingsbury Court, Cupertino, California 95014, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: RETENTATE CHROMATOGRAPHY AND PROTEIN CHIP ARRAYS  
WITH APPLICATIONS IN BIOLOGY AND MEDICINE

Filing date: June 19, 1998 Application No.: 09/100,708; and

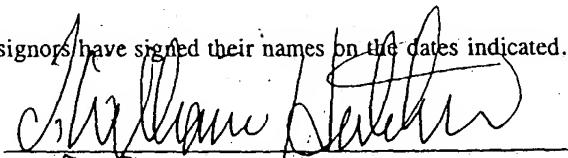
WHEREAS, Ciphergen Biosystems, Inc. a California corporation, located at 470 San Antonio Road, Suite B, Palo Alto, California 94306, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

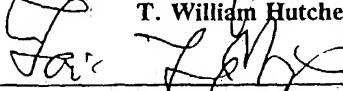
Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 9/24/98

  
T. William Hutchens

Date: 9/23/98

  
Tai-Tung Yip